Illegal Migrants (Determination by Tribunal) Act

*293. DR. (SHRIMATI) JOYASREE GOSWAMI MAHANTA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Illegal Migrants (Determination by Tribunal) Act is applicable in Assam for detection and deportation of illegal migrants from Bangladesh;

(b) if so, whether problem of illegal influx from Bangladesh exists in the neighbouring States of Assam viz. West Bengal, Meghalaya and Tripura also;

(c) if so, whether Government are contemplating detection of these illegal migrants in such States through IM (DT), Act;

(d) if not, whether Government holds the view that application of IM(DT), a Central Act, in Assam alone is discriminatory in nature; and

(e) if so, what steps are proposed to be taken to remove this discrimination?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) to (e) The Illegal Migrants (Determination by Tribunals) Act, 1983 provides for the establishment of Tribunals for the determination of the question whether a person is an illegal migrant to enable the Government to expel illegal migrants from India and for matters connected therewith or incidental thereto. The Act is presently in force in the State of Assam only.

There is no proposal to put the Illegal Migrants (Determination by Tribunals) Act, 1983 into force in the neighbouring States of Assam where the problem of illegal influx Bangladesh also exists.

A proposal to repeal the Act is under consideration of the Government.

Foreign Nationals without valid documents

*294. SHRI K. RAHMAN KHAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of foreign nationals living in India without valid documents including those who are over-staying, country-wise;

(b) the number of those whose whereabouts are known; and

(c) the action taken against them?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) to (c) Powers of the. Central Government under the passport (Entry into India) Act 1920, Registration of Foreigners Act, 1939 and the Foreigners Act, 1946 have

been entrusted to the State Government and Union Territory Administrations, with their prior consultation, under articles 258 and 2.39 respectively of the Constitution. As per available information, as on 30.06.1999, 11578 foreigners (excluding Bangladeshi nationals) were staying without valid documents, including those who were overstaying, in India. The country-wise details are as follows:—

	Country	Number staying without Valid document	/overstaying
1.	Pakistan	-	11,327
2.	Afghanistan	-	74
3.Myanmar-		66	
4.	Sri Lanka	-	33
5.	Tibetans	-	16
6.	Iran	-	10
7.	Malaysia	-	06
8.	Russia, UK	-	10 (5 each)
9-11.	Bylorussia, China, Nigeria	-	09 (3 each)
12-16.	France, Kenya, Thailand, Zimbabwe, others	-	10 (2 each)
17-33.	Argentina, Austria, Bhutan, Greece, Canada, Germany, Israel. Jordan, Netherlands, Niger, Saudi Arabia, Sudan, Switzerland. Tanzania, Ukraine, USA, Stateless	-	17(1 each)
	TOTAL:		11,578

Central Government is aware of the problems of foreigners staying without valid documents, including those who are overstaying, in India and has, from time to time, sensitised the State Governments and Union Territory Administrations to launch special deives to identify, detect and deport such foreigners.